

*REC'D 1/16/01*

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November 6, 2001

FILE: VBLT:007US

## CERTIFICATE OF MAILING 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below.

November 6, 2001

Date

Steven L. Highlander

## BOX MISSING PARTS

Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application No. 09/888,233 entitled "ASSAY FOR TOXIN INDUCED NEURONAL DEGENERATION AND VIABILITY IN C. ELEGANS" - Randy D. Blakely et al. (Client reference: VU0135)*

Sir:

Please find enclosed:

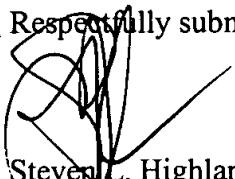
- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed August 6, 2001;
- (2) Declaration of Randy D. Blakely, Richard Nass and David M. Miller;
- (3) Power of Attorney;
- (4) Substitute Drawings, Figures 1-6D on 6 sheets;
- (5) Statement as Required under 37 C.F.R. §1.825(a) and (b) and Statement as Required under 37 C.F.R. §1.821(g);
- (6) Substitute Computer Readable Form;
- (7) Substitute Paper Copy;
- (8) Request for Extension of Time;

Commissioner for Patents  
November 6, 2001  
Page 2

- (9) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (10) Checks in the amount of \$966.00 and \$370.00; and
- (11) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10101121/SLH.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642

SLH/mar  
Encl: as noted

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Randy D. Blakely et al.

Serial No.: 09/888,233

Filed: June 22, 2001

For: ASSAY FOR TOXIN INDUCED  
NEURONAL DEGENERATION AND  
VIABILITY IN C. ELEGANS



Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: VBLT:007US/SLH

CERTIFICATE OF MAILING  
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

November 6, 2001

Date

Steven L. Highlander

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated August 6, 2001, there are enclosed herewith:

- (a) Two Declarations executed on behalf of Randy D. Blakely, Richard Nass and David M. Miller;
- (b) A Power of Attorney on behalf of Vanderbilt University;
- (c) Substitute Drawings, Figures 1-6D on 6 sheets;

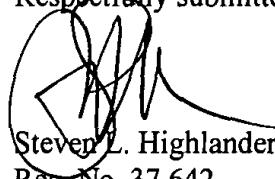
- (d) Statement as Required under 37 C.F.R. §1.825(a) and (b) and Statement as Required under 37 C.F.R. §1.821(g);
- (e) Substitute Computer Readable Form;
- (f) Substitute Paper Copy of Sequence;
- (g) Our check in the amount of \$370.00 to cover the basic filing fee (\$370.00 - utility small entity);
- (h) Our check in the amount of \$966.00 to cover the surcharge for late filing (\$65.00); additional claims fee (\$846.00); one month extension of time fee (\$55.00);
- (i) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (j) A Request for Extension of Time of one month to and including November 6, 2001. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Vanderbilt University and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10101121/SLH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 6, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,233	06/22/2001	Randy D. Blakely	VBLT:007US

## CONFIRMATION NO. 7536

## FORMALITIES LETTER



\*OC00000006387240\*

FULBRIGHT & JAWORSKI L.L.P.  
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 AUSTIN, TX 78701

#3

Date Mailed: 08/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/16/2002 KROCHA1 00000072 09888233

01 FC:201	370.00	OP	FILED UNDER 37 CFR 1.53(b)
02 FC:202	126.00	OP	
03 FC:203	720.00	OP	
04 FC:205	65.00	OP	<i>Filing Date Granted</i>

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1680.
  - \$1440 for 80 total claims over 20.
  - \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2520.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of

the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE